

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 9, 1999

DIVISION TWO

B121922 Jelin (Not for Publication)
v.
Greenfield et al.

The judgment is affirmed with respect to all respondents except Jeffrey Greenfield. With respect to Jeffrey Greenfield, the judgment is reversed, with directions to enter an order overruling his demurrer as to the first, second, and ninth causes of action of the Fourth Amended Complaint, but otherwise sustaining his demurrer to that complaint without leave to amend. The parties shall bear their own costs.

Mallano, J. (Assigned)

We concur: Nott, Acting P.J.
 Cooper, J.

B130285 Gonzales et al. (Not for Publication)
v.
Southern California Edison Company et al.

The judgment is reversed. Plaintiffs shall recover costs.

Mallano, J. (Assigned)

We concur: Boren, P.J.
 Nott, J.

December 9, 1999-Continued

DIVISION TWO (Continued)

B127615 People (Not for Publication)
v.
Keel

The judgment is modified to impose a parole revocation fine of \$600 pursuant to section 1202.45, which shall remain suspended unless and until appellant violates parole. The clerk of the superior court is directed to prepare an amended abstract of judgment reflecting that separate \$600 restitution fines were imposed pursuant to sections 1202.4 and 1202.45 and to forward the amended abstract to the appropriate correctional authorities. In all other respects, the judgment is affirmed.

Mallano, J. (Assigned)

We concur: Boren, P.J.
 Cooper, J.

B124847 People (Not for Publication)
v.
Robinson

The Court:

The judgment of conviction is reversed as to count 3 (stalking) and, in all other respects, is affirmed. The judgment sentencing appellant to a total prison term of 11 years and 4 months is reversed, and the matter is remanded for further proceedings consistent with this opinion.

Boren, P.J., Nott, J., Mallano, J. (Assigned)

December 9, 1999-Continued

DIVISION THREE

B127739 People (Not for Publication)
v.
Villeda

The judgments (orders revoking probation) are affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B133744 People (Not for Publication)
v.
Salter

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

[illegible]

The judgment is modified to reflect the imposition of a \$200 parole revocation fine. As modified, the judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment accordingly.

Klein, P.J.

We concur: Aldrich, J.
Schneider, J. (Assigned)

December 9, 1999-Continued

DIVISION THREE (Continued)

[illegible]

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B116998 Glendale Adventist Medical Center (Not for Publication)
v.
Director of the State Department of Health Services

The judgment is reversed. The cause is remanded for further proceedings consistent with the views expressed herein. Costs on appeal to Glendale Adventist.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION FOUR

B115869 The Office of Statewide Health Planning
v.
Musick, Peeler & Garrett

Filed order modifying opinion. (No change in the judgment)

DIVISION FOUR (Continued)

B128574 Gentner and Company, Inc. (Certified for Publication)

v.

Wells Fargo Bank

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
 Epstein, J.

DIVISION FIVE

B135552 Martha D. (Not for Publication)

v.

Superior Court, Los Angeles County
(D.C.F.S., r.p.i.)

The petition for extraordinary writ is denied.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B130102 People (Not for Publication)

v.

Juan Delira

The judgment is modified to reflect a \$50 state penalty assessment pursuant to Penal Code section 1464 and a \$35 county penalty assessment pursuant to Government Code section 76000. As modified, the judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

December 9, 1999-Continued

DIVISION FIVE (Continued)

B130431 People (Not for Publication)
v.
Nathaniel Jones

The judgment is modified by striking defendant's May 26, 1996 Texas robbery conviction (No. 72144), leaving two prior serious felony convictions. As modified, the judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B129498 Zane Weiner (Not for Publication)
v.
Department of Motor Vehicles

The judgment is reversed. The DMV is to recover its costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Abbe, J. (Assigned), and G. Bents, Deputy Clerk.

B130521 Brown v. Santa Barbara Co.

Argument waived, cause submitted.

DIVISION SIX (Continued)

B127619 Muns
 v.
 Dodge

Merits:
Argued by Douglas Earl Godbe for appellant and by Michael C. Booser for respondent. Cause submitted.

B128933 See
 v.
 Doner-Griswold

Merits:
Argued by Herb Fox for appellant and by Lawrence T. Sorenson for respondent. Cause submitted.

B130267 Knopp
 v.
 California Dept. of Forestry

Merits:
Argued by Martha Gillesby for appellant and by Dana T. Cartozian, deputy attorney general, for respondents. Cause submitted.

B126262 Rigoli
 v.
 Blackburn

Merits:
Argued by Charles A. Bird for appellant and by Kevin J. Smith for respondent. Cause submitted.

DIVISION SIX (Continued)

B127165 Kuhnle & Sons
 v.
 Paquette

Merits:
Argued by Shane D. Kramer for appellants and by Mark Leonard Cali for respondents. Cause submitted.

B135604 Albertson
 v.
 Ventura Co. Superior Court
 (The People, r.p.i.)

Mandate:
Presented by Donna Forry, deputy public defender, for petitioner and by David Lehr, deputy district attorney, for real party in interest. Cause submitted.

B135605 Sporich
 v.
 Ventura Co. Superior Court
 (The People, r.p.i.)

Mandate:
Presented by Charles L. Cassy for petitioner and by David Lehr, deputy district attorney, for real party in interest. Cause submitted.

Yegan, J. left the bench.

B126426 Shipman
 v.
 Boething Treeland Farms, Inc.

Merits:
Argued by Arthur Sherman for appellant, by Joseph R. Zamora for respondent and cross-appellant Martinez, and by Rebecca R. Weinreich for respondent Boething Treeland Farms, Inc. Cause submitted.

Court recessed at 12:25 P.M.

DIVISION SIX (Continued)

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Abbe, J. (Assigned), and G. Bents, Deputy Clerk.

Each of the following:

B127112 People v. Adan
B127758 People v. Stith
B128807 People v. Maddox
B129854 People v. Smith
B129918 People v. Maciel
B130668 People v. Smith
B131189 People v. Salvas
B131198 People v. Hanson
B132623 People v. Williams
B132658 People v. Jamie Mendez D.
B133134 People v. Dalton

Argument waived, cause submitted.

B130997 People
 v.
 Tejada

Merits:

Argued by Edwin Tolmas for appellant and by Margaret E. Maxwell, deputy attorney general, for respondent. Cause submitted.

B130673 People
 v.
 Duncan

Merits:

Argued by Juliet Schmidt, deputy district attorney, for appellant and by Reid Honjiyo, deputy alternate public defender, for respondent. Cause submitted.

DIVISION SIX (Continued)

B124108 People
 v.
 Winslow

Merits:

Argued by Rudy G. Kraft for appellant and by William V. Ballough, deputy attorney general, for respondent. Counsel for respondent granted leave to file letter brief of additional factual issue. Cause submitted.

B128632 People
 v.
 Lathery

Merits:

Argued by Ralph H. Goldsen for appellant and by Pamela C. Hamanaka, deputy attorney general, for respondent. Cause submitted.

B128007 People
 v.
 McFarland

Merits:

Argued by Ralph H. Goldsen for appellant and by David A. Wildman, deputy attorney general, for respondent. Cause submitted.

B129486 People
 v.
 Massey

Merits:

Argued by Brent Riggs for appellant and by Vicki J. Vlasnik, deputy alternate public defender, for respondent. Cause submitted.

Abbe, J. (Assigned) leaves the bench.

DIVISION SIX (Continued)

B132060 People
 v.
 Beuer

Merits:

Argued by Kevin G. DeNoce for appellant and by Scott A. Taryle, deputy attorney general, for respondent. Cause submitted.

Court adjourned at 3:20 P.M.